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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/050,980	01/18/2002	Tina M. Clark	84013PCW	7892

7590 07/19/2006  
Thomas H. Close  
Patent Legal Staff  
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343 State Street  
Rochester, NY 14650-2201

EXAMINER
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CAMPBELL, JOSHUA D

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 07/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/050,980		CLARK ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Joshua D. Campbell		2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1 and 3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. This action is responsive to communications: Amendment filed on 4/27/2006.
2. Claims 1 and 3 are pending in this case. Claims 1 and 3 are independent claims and have been amended.
3. The rejection of Claim 1 under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter has been withdrawn due to amendments of that claim.

### ***Claim Rejections - 35 USC § 103***

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
5. Claims 1 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over PowerPoint (hereinafter PowerPoint, published in 1999 by Microsoft Corporation) in view of Graham (US Patent Number 6,343,302, filed on February 13, 1997).

**Regarding independent claim 1,** PowerPoint discloses a method in which a first and second HTML pages are displayed in which a first image link links the first page to the second page so that the pages are displayed sequentially (first page, then second when the image link is selected) (Pages 1 and 2, items 1-3). PowerPoint also discloses that a third HTML page, which is to be inserted into a predetermined position either between the first and second pages, before the first page, or after the second page

(Pages 6-11, items 6-8 which designate the predetermined position for page insertion, and items 9-11 which show the pages after insertion occurs). The links necessary to keep the navigation sequential are automatically added to the third page and any links on the first and second pages are corrected to maintain sequential display (Pages 12-14, items 12-15, which properly act to navigate the pages sequentially with the new third page in its current position – between pages 1 and 2). PowerPoint does not disclose a method in which the pages are all part of the same website specifically or that the webpage authoring tool is also a part of the website. However, Graham discloses a method in which a webpage authoring tool is remotely located on the web server which allows the user to author and edit webpages of a website that exists on that same server (column 2, lines 43-57 and column 3, line 46-column 4, line 22 of Graham). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the abilities of a sequential webpage authoring tool of PowerPoint with the teachings of operating a webpage authoring tool remotely of Graham because it would have increased the portability and reliability over a client-side authoring tool (column 2, lines 43-57 of Graham).

**Regarding independent claim 3**, the claim incorporates substantially similar subject matter as claim 1. Thus, the claim is rejected along the same rationale as claim 1.

### ***Response to Arguments***

6. Applicant's arguments filed 4/27/2006 have been fully considered but they are not persuasive.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). As stated in the rejection and shown in the prior art reference known as PowerPoint, Microsoft PowerPoint does indeed generate HTML pages, while examiner agrees that PowerPoint itself is not run as part of a website it does indeed teach certain functions of a web-authoring tool as shown in the rejection. The Graham reference teaches that a web-authoring tool itself could be made portable by providing the authoring functionality remotely as a part of a website. Thus, It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the abilities of a sequential webpage authoring tool of PowerPoint with the teachings of operating a webpage authoring tool remotely of Graham because it would have increased the portability and reliability over a client-side authoring tool (column 2, lines 43-57 of Graham). At no point does PowerPoint teach away from Graham, rather as the motivation provided in rejection shows, Graham provides an improvement to the teachings of PowerPoint. Thus, a prima facie case of obviousness is clearly established in the rejection.

### **Conclusion**

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

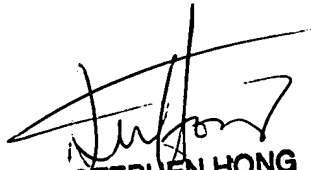
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua D. Campbell whose telephone number is (571) 272-4133. The examiner can normally be reached on M-F (7:30 AM - 4:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JDC  
July 12, 2006



STEPHEN HONG  
SUPERVISORY PATENT EXAMINER